

B2500E (Form 2500E) (12/15)

United States Bankruptcy Court

Southern District Of Texas

In re American Green Technology Inc.
Debtor*

Case No. 18-34728

Chapter 11

SUMMONS TO DEBTOR IN INVOLUNTARY CASE

To the above named debtor:

A petition under title 11, United States Code was filed against you in this bankruptcy court on August 28, 2018 (date), requesting an order for relief under chapter 11 of the Bankruptcy Code (title 11 of the United States Code).

YOU ARE SUMMONED and required to file with the clerk of the bankruptcy court a motion or answer to the petition within 21 days after the service of this summons. A copy of the petition is attached.

Address of the clerk:
United States District Courthouse
515 Rusk St.
Houston, TX 77002

At the same time, you must also serve a copy of your motion or answer on petitioner's attorney.

Name and Address of Petitioner's Attorney:

Hoover Slovacek, LLP
Deirdre Carey Brown
Galleria Tower II, 5051 Westheimer, Suite 1200
Houston, TX 77056

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 1011(c).

If you fail to respond to this summons, the order for relief will be entered.

Date: AUG 30 2018

DAVID J. STANLEY (Clerk of the Bankruptcy Court)
By: [Signature] (Deputy Clerk)



* Set forth all names, including trade names, used by the debtor within the last 8 years. (Fed. R. Bankr. P. 1011(c))

B2500E (Form 2500E) (12/15)

CERTIFICATE OF SERVICE

I, Belle A. Doucet (name), certify that on 8/30/2018
(date), I served this summons and a copy of the involuntary petition on American Green Technology, Inc.
(name), the debtor in this case, by [describe the mode of service and the address at which the
debtor was served]:

American Green Technology Inc.
Registered Agent Charles M. Weiser
5718 Darnell Street
Houston, Texas 77096

If service was made by personal service, by residence service, or pursuant to state law, I
further certify that I am, and at all times during the service of process was, not less than 18
years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 8/30/18 Signature Belle A. Doucet

Print Name:

Belle A. Doucet

Business Address:

Hoover Slovacek LLP
Galleria Tower II
5051 Westheimer, Suite 1200
Houston, Texas 77056

Fill in this information to identify the case:

United States Bankruptcy Court for the
Southern District of Texas
(State)

Case number if known: _____ Chapter 11

☐ Check if this is an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/16

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code
- Check one:
- ☐ Chapter 7
- ☒ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name American Green Technology Inc.

3. Other names you know the debtor has used in the last 8 years

AGT

American Green Technology™

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)

☐ Unknown

27-0246424

EIN

5. Debtor's address

Principal place of business

52129 St. Rt. 933

Number Street

South Bend Indiana 46637

City State ZIP Code

St. Joseph County

County

Mailing address, if different

Registered Agent Charles M. Weiser

5718 Daniell Street

Number Street

P.O. Box

Houston Tx 77096

City State ZIP Code

Location of principal assets, if different from principal place of business

1300 Industrial Park Drive

Number Street

Leonard Pharr Industrial Park

Clarksdale MS 38614

City State ZIP Code

Debtor

Americian Green Technology, Inc.

Case number (if known)

6. Debtor's website (URL)

www.americangreentechnology.com

7. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the types of business listed.
☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

☒ No☐ Yes. Debtor _____

Relationship _____

District _____

Date filed _____

Case number, if known _____

MM/DD/YYYY

Debtor _____

Relationship _____

District _____

Date filed _____

Case number, if known _____

MM/DD/YYYY

Part 3:

Report About the Case

10. Venue

Check one:

- ☐ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(e).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

☒ No☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor

American Green Technology, Inc.

Case number (if known)

13. Each petitioner's claim

Name of petitioner

Nature of petitioner's claim

Amount of the claim above the value of any lien

AirGuide Mfg MS, LLC

lease - rent, utilities

\$ 269,401.88 + int./fees

Lai Family Investments, Inc.

note

\$ 125,000 + int./fees

Dave Peterson

note

\$ 100,000 + int./fees

Total of petitioners' claims over \$ **\$494,401.88**

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING - Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Attorneys

Name and mailing address of petitioner

AirGuide Mfg MS, LLC

Name

795 794 W 20th Street

Number Street

Hialeah

FL

33010

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Doug Marty

Name

c/o AirGuide Mfg MS, LLC 794 W 20th Street

Number Street

Hialeah

FL

33010

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/20/2018

MM / DD / YYYY

Signature of petitioner's representative, including representative's title

Deirdre Carey Brown

Printed name

Hoover Slovacek LLP

Firm name, if any

5051 Westheimer Suite 1200

Number Street

Houston

Texas

77056

City

State

ZIP Code

Contact phone 713-977-8688

Email brown@hooverslovacek.com

Bar number 24049116

State Texas

/s/ Deirdre Carey Brown

Signature of attorney

Date signed 08/20/2018

MM / DD / YYYY

Debtor American Green Technology, Inc.

Case number (if any)

Name and mailing address of petitioner

Lai Family Investments, Inc.

Name

2406 Delmonte Drive

Number Street

Houston

TX

77019

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Rocky Lai

Name

2406 Delmonte Drive

Number Street

Houston

TX

77019

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/28/18

MM/DD/YYYY

Signature of petitioner or representative, including representative's title

Deirdre Carey Brown

Printed name

Hoover Slovacek LLP

Firm name, if any

5051 Westheimer Suite 1200

Number Street

Houston

Texas

77056

City

State

ZIP Code

Contact phone 713-977-8886

Email brown@hooverslovacek.com

Bar number 24049116

State

Texas

/s/ Deirdre Carey Brown

Signature of attorney

Date signed 08/28/18

MM/DD/YYYY

Name and mailing address of petitioner

Dave Peterson

Name

Number Street

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Same as above

Name

Number Street

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/28/18

MM/DD/YYYY

Signature of petitioner or representative, including representative's title

Deirdre Carey Brown

Printed name

Hoover Slovacek LLP

Firm name, if any

5051 Westheimer Suite 1200

Number Street

Houston

Texas

77546

City

State

ZIP Code

Contact phone 713-977-8886

Email brown@hooverslovacek.com

Bar number 24049116

State

Texas

/s/ Deirdre Carey Brown

Signature of attorney

Date signed 08/28/18

MM/DD/YYYY

Debtor American Green Technology, Inc.
Name

Case number (if known) _____

Name and mailing address of petitioner

Lai Family Investments, Inc.

Name
2406 Delmonte Drive
Number Street
Houston TX 77019
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Rocky Lai

Name
2406 Delmonte Drive
Number Street
Houston TX 77019
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/28/18
MM / DD / YYYY

X

Signature of petitioner or representative, including representative's title

Name and mailing address of petitioner

Dave Peterson

Name
11721 Hunters Green Trail
Number Street
Austin TX 78732
City State ZIP Code

Name and mailing address of petitioner's representative, if any
Same as above

Name
Number Street
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/28/18
MM / DD / YYYY

X

Signature of petitioner or representative, including representative's title

Deirdre Carey Brown

Printed name
Hoover Slovacek LLP
Firm name, if any
5051 Westheimer Suite 1200
Number Street
Houston Texas 77056
City State ZIP Code

Contact phone 713-977-8686 Email brown@hooverslovacek.com

Bar number 24049116

State Texas

X /s/ Deirdre Carey Brown

Signature of attorney

Date signed 08/28/18
MM / DD / YYYY

Deirdre Carey Brown

Printed name
Hoover Slovacek LLP
Firm name, if any
5051 Westheimer Suite 1200
Number Street
Houston Texas 77548
City State ZIP Code

Contact phone 713-977-8686 Email brown@hooverslovacek.com

Bar number 24049116

State Texas

X /s/ Deirdre Carey Brown

Signature of attorney

Date signed 08/28/18
MM / DD / YYYY